Date of deposit with the United States Patent and Trademark Office, Commissioner of Patents, via the EFS pursuant to 37 CFR §1.8:

Date: May 26, 2009 Name: John F. Nethery, Reg. No. 42,928 Signature:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Benyamin et al.

Appln. No.:

10/077,562

Filed:

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DEVICE

Attorney Docket No.: 11336-1161 (P01139US)

Examiner: Mishawn N. Dunn

Art Unit: 2621

Conf. No.: 3315

REQUEST FOR REVIEW OF PATENT TERM ADJUSTMENT

Mail Stop Issue Fee Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

It has recently come to our attention that there may be an error in the patent term adjustment calculated by the U.S. Patent and Trademark Office for the above-referenced patent application. Specifically, the patent term adjustment pursuant to 35 U.S.C. 154(b) of 1895 days indicated on the Determination of Patent Term Adjustment, PTOL-85, may extend the term of this patent by too many days. Please review the calculation of the patent term adjustment and make corrections, if necessary.

Respectfully submitted,

Date:

May 26, 2009

Jolin F. Nethery, Reg. No. 42,928

Attorney for Assignee

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